

UNITED STATES GOVERNMENT

Memorandum

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TO : The Ambassador

DATE: February 11, 1971

FROM : John W. Mowinckel

SUBJECT: Disappearance of Rubens Paiva

The continued disappearance of former Deputy Rubens Paiva after his arrest two or three weeks ago is causing profound concern to his many friends and associates.

[REDACTED] EO25x1 Paiva died under interrogation either from a heart attack or other causes. When this becomes known (as it eventually will) it is certain that his friends will generate a violent and emotional campaign against the Brazilian government by every means possible --international press, letters to Senators Fulbright, Church, Kennedy, etc.

Many of Paiva's friends still have a slim hope that he may still be alive although they admit that this may be wishful thinking. They suspect that, since he was a fat man, he may have died of a heart attack under torture.

While I had never heard of Paiva before his arrest he is apparently very well known in Brazil as a physically and intelligently courageous man of the left who was a deputy during the Goulart regime and cassated in 1964. He was a wealthy man who inherited money from his well-to-do family and made a good deal on his own as an engineer. His family owns land in the Valle Ribeira area near São Paulo. While Carlos Lamarca did not have his guerrilla headquarters on Paiva's land, it was close by.

All Paiva's friends are convinced that he has had no sympathy at any time with the terrorist movement or with violence as a means of opposing the Brazilian military. They say, however, that as a leader of left-wing thought in Brazil it is possible he may at some time or another have given assistance to political fugitives related to friends of his.

I further understand that Paiva was a very successful engineer and after his cassation did a lot of construction work for both the Castello Branco and Costa e Silva governments. He is tremendously respected, particularly by his friends and also by many of those who disagree with him politically.

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It is known to his friends that he was arrested because of a letter addressed to him by someone in Chile which arrived here in the hands of some woman.

Comment: This is another example of irresponsible strong arm tactics and bungling by Brazilian security forces. The difference is that this time, when the facts become known, it will not be possible to sweep them under the rug. Confirmation of his death will raise one hell of a stink and once again embarrass the U.S. Government in its relationship with the GOB.

In my opinion every effort should be made by you and other members of this mission to convince the GOB that something must be done to punish at least some of those responsible--punished by public trial. If the GOB does not do this fairly soon, it is certain that the GOB's sins will rub off on us, thereby causing one more problem on the Hill and in the press for the Nixon administration.

Enclosure:

copy of Feb. 2nd N.Y. Times article

cc: Minister Boonstra
Col. Moura
Mr. Phillips
Mr. Low (Mr. Walker)

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A Girl Pleads for Release Of Parents, Victims of Brazil's Police Repression

By JOSEPH NOVITSKI

Special to The New York Times

BRASILIA, Feb. 1.—Eleven days ago a 15-year-old Brazilian girl watched her prominent father, his head covered by a black hood, led from their home by unidentified Government security agents. The next day she was hooded and taken with her mother to an army police barracks in Rio de Janeiro.

The girl, Eliana Paiva, was released after spending one night in a cell. Today she wrote to Brazil's Commission for the Defense of Human Rights, a Government-controlled investigative body with headquarters here, to appeal for help in having her parents released. They have disappeared in the course of an incident exemplifying repressive police tactics in Brazil.

Extreme Tactics Adopted
Strangely, the censored press has been allowed to publish some details of the detention and disappearance of Rubens Paiva, a 41-year-old civil engineer once active in leftist politics in Parliament, and his wife Eunice in Rio de Janeiro. And, although similar cases in the past have gone officially unnoticed, it is understood that Mr. Paiva's rich and influential family has indirectly brought the situation to the attention of Gen. Emílio G. Médici, President of Brazil's military Government.

Brazilian military and political police, engaged in a battle against small urban guerrilla groups of the radical left, began adopting extreme tactics late last year.

With practically unrestricted

police powers in force since late 1968, armed arresting officers in civilian clothes in Rio de Janeiro have taken to hiding their identity. They sometimes put black hoods over their prisoners' heads en route to detention centers so that the prisoners will not later identify their surroundings or interrogators.

Lawyers, former politicians, students and businessmen with political sympathies opposed to the Government have been reported arrested, held and released without charges or trial.

Despite formal Government denials, there are persistent and reliable reports that suspected terrorists and sometimes other persons of their own bodies.

Prisoners have been tortured. They are reportedly beaten during interrogations, hung upside down and contorted with electric shocks applied to sensitive parts of their wet bodies.

Mr. Paiva, a former member of the Chamber of Deputies who was stripped of his political rights for 10 years shortly after the military came to power in

1964, was taken from his luxurious home on the afternoon of Jan. 20. Friends of the family in Rio said the six men who detained him did not identify themselves.

Several agents remained in the house overnight. They defamed three boys who came to visit Eliana, according to those who know the family, and did not allow the maids or three younger Paiva children to leave the house.

Night Spent in Cell

The next day Mrs. Paiva, her daughter and the three boys were taken away in unmarked cars. The boys were later released.

"I was taken with my mother to prison where I spent the night in a cell," Eliana wrote in her letter, delivered to a member of the human rights group. "With all this, I'm not the same girl I was, and my friends don't look on me the same way."

"I was released the next day," the girl continued. "I have not seen my mother since or heard anything of my father. The reason and the why of this I do not know at all. I am losing the confidence in freedom and human rights that I had."

On the day Eliana was released not far from the main military police barracks in Rio, but across the city from her home, the police told reporters that a detained former congressman, identified only by the first name Rubens, had escaped after a machine-gun assault on the small sedan in which he was being transported by army agents.

Reporters who saw the bullet-riddled, burned sedan said

there were no skid marks on authorities have refused to comment on what happened to family members that he Rubens died in prison and was trying to prepare an ex-

amination censors urged the news papers of Rio to publish the chief so they could work him out, but no further information was supplied. Dr. from his friends, who are many and influential, a friend of the want them back for me and to identify Rubens as a terrorist square, girlish hand, Mr. Paiva's daughter said. "I do not know since his detention. Army family said, "or there was my mother."